

Based on the following amendments of the claims and the abstract, and remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

**In The Claims**

Please amend claims 31 as follows:

CI 31. (Twice Amended) The method of any one of claims 28 to 30 further comprising, following the step of displaying the selected indicia in the display area, the step of removing any indicia not matching any of the player's selected indicia from the display means.

**REMARKS**

This is in response to the Office Action of June 5, 2000, in which the Examiner:

- (1) objected to claim 31 as being in improper form;
- (2) rejected claims 32 to 34 as being indefinite;
- (3) found claims 14 and 18-21 to be obvious over DIRE et al in view of Leake and further in view of Marnell II; and
- (4) found claims 28-30 and 32-34 to be obvious over Marnell II in view of applicant's admitted prior art.

Based on the above amendment of the claim and the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

**I. THE INFORMALITY OBJECTION SHOULD BE WITHDRAWN**

Claim 31 was objected to as being an improper multiple dependent claim. The improper form has been corrected by amending claim 31 to depend on any one of claims 28-30.

Therefore, the objection based on the informality should be withdrawn.

## II. THE §112 REJECTION SHOULD BE WITHDRAWN

Claims 32 to 34 were found to be indefinite as containing subject matter which was not described in the specification. For example, according to the Examiner, claim 32 recites method of step “displaying a simulation of each generated number dropping into a column,” but there is no connection between this method step and the indicia or the step as set forth previous.

With regard to the step of claim 32 “*displaying a simulation of each generated number dropping into a column,*” this refers to the numbered balls dropping into the columns which is illustrated in Figure 5. The numbered balls are shown in Figure 4. With reference to Figure 4, at page 5 lines 19 onwards, the specification reads “*The first screen 10 displays 80 white balls clearly numbered 1 to 80 in two groups, (numbered 12 and 14 respectively) of 40 balls*”. Also it is disclosed at page 4, lines 5 and 6 that “*Typically, all the selected numbers are displayed as representations of numbered balls.*”

A wild indication recited in claim 33 is disclosed at page 7 from line 16 and is equivalent to the “wild ball” feature. There is a clear disclosure of a simulation of a ball dropping into one of the various columns carrying a number, and that number changing to adopt a value which equates with one of the numbers chosen by the player.

With regard to claim 34, the feature of “scattered prizes” is disclosed on page 8 lines 30-36.

In view of the description in the specification, the rejections based on Section 112 should be withdrawn.

### **III. THE CLAIMED INVENTION IS NOT OBVIOUS OVER THE REFERENCES**

The Examiner rejected claims 14 and 18-21 to be obvious over Dire et al in view of Leake and further in view of Marnell II, and found claims 28-30 and 32-34 to be obvious over Marnell II in view of applicant's admitted prior art. In Final Action, the Examiner repeated the citation of the Dire et al and Leake references as in previous office Action and newly cited Marnell reference. As demonstrated herein, the invention is distinguished from Marnell as well as other cited references.

#### **A. MARNELL DOES NOT DISCLOSE OR SUGGEST ANY CLAIMED FEATURES**

Essentially, Marnell teaches a specific progressive type of jackpot system.

Specifically, what Marnell teaches is a primary electronic gaming device, such as an electronic gaming machine coupled with a secondary electronic gaming device. The present invention, however, is directed to a stand alone electronic gaming machine.

In Marnell, the electronic gaming machine is responsive to the occurrence of selected events such as poker hands or slot machine reel combinations for input into the secondary gaming device (the common bingo card). The bingo card, instead of comprising a grid of numbers selected from a particular sub-set of numbers such as 1 to 99 has a grid on which the indicia in the series of squares are typical poker hands such as "four sevens," "full house," "three kings" etc. A number of poker games or slot machines can be electrically coupled to the secondary gaming device for simultaneous play of a single bingo game by a plurality of players, each of whom is still playing his or her individual poker game. If the player gets say three kings in the primary game, he would win a prize on the primary game. If the player gets say three kings in the primary game, he would win a prize on the primary game. If "three kings" is an indicia on one of the squares of the common bingo game, then that square

would be completed on the bingo “card” for that player. If the completion of the square completes the card or a line the player may also win a jackpot on the secondary game.

Thus, Marnell relates to an enhancement or diversion to existing poker or spinning reel game to provide a secondary game presumably in an attempt to increase player interest and increase a player’s chances of winning.

It is important to note that in Marnell, the bingo game is provided as a secondary game in addition to the normal poker or alternatively spinning reel game played on the electronic gaming machine. In Marnell, each player only plays a single bingo game and it is the same card for all players. Thus, what Marnell teaches is providing a secondary game on the lines of a progressive jackpot gaming system to encourage continued play by the players by increasing the potential payout.

This is in complete contrast with the present invention which teaches a stand alone electronic gaming machine. In the present invention, there is no secondary game, and there is no jackpot which may be won by one of a number of players in a network of gaming machines as there is no network of gaming machines and no progressive jackpot.

Also, in the present invention, a number of draws are made to a player’s selected indicia, that does not appear to happen in Marnell. In Marnell, the indicia 53 are not player selected. Further, in Marnell, a single player only plays the one game against however many players are playing gaming machines connected to the secondary gaming device playing for the jackpot. In contrast, in the present invention, the player of the electronic gaming machine plays a plurality of games simultaneously.

When the features of claim 9 is compared to Marnell, although Marnell discloses “*a gaming machine comprising a display means and a game control means arranged to control images displayed on a display means,*” the remaining features of claim 9 are not disclosed in Marnell.

Further, Marnell does not describe game control means arranged to play a game in which a player makes a selection of indicia chosen from a larger group of indicia with that selection defining the player's selected indicia.

In the sense that Marnell discloses the playing of a poker game, the game control means of Marnell are arranged to generate a series of indicia drawn at random from a larger group of indicia, i.e., hands of cards. However, the indicia displayed are a series of playing cards and they are not drawn at random from the larger group of indicia from which a player has made a selection.

The display means of Marnell are not adapted to display in a predetermined location the series of indicia which have been generated by the game control means for comparison with the player's selected indicia. In Marnell, the indicia are displayed as part of poker hand and not for comparison with the player's selected indicia.

Furthermore, in Marnell, there is no prize awarded if more than a predetermined number of matches occur between a player's selected indicia and generated indicia. There is no disclosure of a plurality of games played simultaneously with the indicia drawn at random for each game from separate groups initially corresponding to the indicia contained in a larger group of indicia, but wherein each game utilizes the same player's selected indicia, and wherein each game has a predetermined display area on the screen distinct from the other games, as claimed in the present invention.

In view of the above, the claimed invention is distinguished from Marnell. Further (see infra), Marnell alone or in combination with other references, i.e., Dire, Leake or Applicant's admitted prior art, fails to disclose, teach, or suggest many of the claimed features. Thus, the present invention is not obvious over Marnell.

**B. LEAKE ALSO FAILS TO RENDER THE INVENTION OBVIOUS**

As explained in response to previous Office Action, the Leake Patent is directed to Keno or Bingo type of games involving the participation of numerous players. The reference, therefore, is totally different from the present invention because the game in the application is essentially played against the machine by a single player.

Accordingly, the present invention is not obvious in view of Leake.

**C. THE DIRE PATENT TEACHES AWAY FROM THE INVENTION**

The Dire patent appreciates the problem of generating enough player excitement to cause the player to play the game. The solution taught by Dire is also a Keno type game, but is to increase the chances of the player winning the game as discussed in column 12, line 61, et seq.

In contrast, the present invention relates to a game where prizes are awarded for getting a certain number of matches with the indicia selected from the group, but in which a plurality of Keno draws are made simultaneously to the same player selected indicia. Notably, it is the exact opposite of what would take place if someone at a Bingo or Keno hall played two or more games simultaneously.

Therefore, the Dire patent alone or in combination with Leake or Marnell does not render the invention obvious, because there are no suggestions or motivations which would lead one skilled in the art to combine the teachings of the references to arrive at the claimed invention. Accordingly, it is respectfully submitted that the rejection in view of the references should be withdrawn.

**CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place the case in condition for final allowance, then it is respectfully requested that such amendment or correction be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that the personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted.



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